

TITLE: FRAUD POLICY	
APPROVED: April 7, 2008	REVIEWED:
NEXT REVIEW: 2010-2011	
RESPONSIBILITY: Vice President Administration	
APPENDICES:	
CROSS-REFERENCE: Code of Ethics Policy	

POLICY STATEMENT :

The College is committed to high standards of ethics, conduct and fiduciary responsibility. As such, it is essential that the College have effective and consistent procedures for responding to allegations of fraud or irregularity. The response mechanism must be clear, appropriate, timely and effectively focused if it is to protect the College and its employees.

PURPOSE :

To establish procedures for reporting and responding to incidences of fraud and irregularities and to create a standardized approach to investigations of fraud and irregularities while ensuring objectivity in decisions regarding each incidence.

SCOPE :

This policy applies to all members of the College community including faculty, staff, students, volunteers, partners, consultants and service and supply contractors and their employees while they are engaged in activities related to their engagement with the College.

DEFINITIONS :

Fraud: A deliberate and/or unlawful deception, misrepresentation or concealment of facts practiced to secure advantage, benefit or gain and/or to cause loss to another.

Irregularity: An activity or potential activity that deliberately disregards College policies or procedures.

PROCEDURE/GUIDELINES :

Fraud including fraud that benefits the College will not be tolerated.

Employees who commit an act of fraud may be terminated.

Employees who commit an act of irregularity may be subject to disciplinary action, including termination, if appropriate.

Any losses incurred through an act of fraud will be recovered by the College to the extent possible.

All staff have an obligation to report suspected fraud or irregularity.

All staff involved in an investigation of suspected fraud or irregularity maintains their rights, privileges and protections afforded to them through the applicable College policies and collective agreements in effect at the time.

GUIDELINES :

1. All suspected instances of fraud or irregularity must be reported to the Vice President, Administration.

Employees, in most circumstances, should report suspected instances of fraud or irregularity to their immediate supervisor or their next appropriate management level. However, in certain circumstances, it may be appropriate for employees to report suspected instances of fraud or irregularity to the Vice President Administration.

It is the responsibility of a supervisor or relevant College management to ensure that the suspicion of fraud and/or irregularity that is reported to them is also reported immediately to the appropriate Vice President.

2. The Vice President Administration is responsible for notifying appropriate College management. In the event the suspicion of fraud is against the Vice President Administration then the College President shall preside.

Appropriate College management, together with the Vice President Administration will determine the necessary action depending upon the nature of the allegations or suspicions. The following should be considered to determine the appropriate response to suspicions of fraud or irregularity:

- The Director of Human Resources shall be notified if appropriate.
- The appropriate supervisor shall be informed of the incident.
- Campus Security may be notified either immediately or during the investigation depending upon the circumstances of the incident.
- Law enforcement agencies may be contacted in instances where criminal charges may be warranted. Prior to engaging law enforcement agencies (or other investigating agencies), the President shall be briefed on circumstances. Involvement of such agencies will be with the approval of the President.
- Contacting legal counsel shall always be considered when dealing with suspicions of fraud.
- If specialist skills are required, external specialists should be consulted/acquired.
- An official College spokesperson regarding matters relating to the incident shall be designated.

3. All allegations of suspected fraud or irregularity will be investigated by the appropriate individuals (from those noted in point 2) who will be the investigating team.

4. All employees suspected of irregularities and/or fraud are to be treated fairly and consistently and in compliance with the collective agreements.
 - Any individual(s) suspected of irregular and/or fraudulent activities should not be confronted prior to commencement of the investigation process. Records related to the activity may need to be seized before the suspected individual(s) becomes aware of any investigation.
 - If in the opinion of the investigating team fraud is probable, employees suspected of such irregularities and/or fraud should be suspended pending investigation.
 - Employees suspected of irregular and/or fraudulent activities have legal rights that must be respected.

5. Details of the initial response and/or investigation must remain confidential.

It is recognized that management investigating the incident will share information with senior management, the Board of Governors, legal counsel and/or law enforcement agencies.

The Vice President Administration will prepare a report addressed to the President and appropriate management of the results of any review of fraudulent or irregular activities.

- Reports will contain details of the systems weaknesses that did not prevent or detect the fraudulent or irregular activities and provide recommendations for improving systems controls to prevent or detect similar events.

The Vice President Administration will report all fraudulent and irregular activities that have been brought to his/her attention to the Executive Committee in accordance with applicable privacy laws and regulations.

6. Guidelines for determining fraud:

Fraud would include but is not limited to the following situations:

- Misappropriation of College assets.
- Unethical behaviour associated with using one's position at the College or one's association with the College for personal advantage whether or not there is detriment to the College.
- Authorizing or receiving remuneration for time not worked.
- Authorizing or receiving payment for goods or services not received or not performed.
- Altering or incorrectly reporting information for personal gain or for the advantage of another or the College.
- Unauthorized use of College assets and resources for personal gain or for the advantage of another.